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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kurian Jacob

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EXAMINER

NGUYEN, KHAI MINH

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

08/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/749,711

Applicant(s)

JACOB, KURIAN

Examiner

Khai M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's argument with respect to claim 1-24 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 12-17, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702) in view of De Sylva (U.S.Pub-20040153357).

Regarding claim 1, Chaskar teaches a method of providing a service to a user of the service comprising the steps of:

establishing a first communication connection (fig.3-4, paragraph 0003, claim 1), the first communication connection being between a user communication device (mobile station) and a service provider agent (fig.3-4, paragraph 0003, claim 1);

requesting a service from the service provider agent via the first communication connection (fig.3-4, paragraph 0003, claim 1);

providing location information identifying the location of the user to the service provider agent (fig.6, paragraph 0039, 0051, claim 1);

dispatching a service provider (no show) to the user based upon the requested service and the location information (fig.6, paragraph 0039, 0051, claim 1);

establishing a second communication connection (fig.6, paragraph 0039, 0051, claim 1);

establishing a second communication connection (fig.6, claim 1), the second communication connection being between (mobile station) the user communication device and the service provider (fig.6, paragraph 0039, 0051, claim 1); and

completing a service transaction via the second communication connection upon rendering of the service by the service provider (fig.6, paragraph 0039, 0051, claim 1)

Chaskar fails to specifically disclose dispatching a service provider. However, De Sylva teaches dispatching a service provider (paragraph 0025-0026). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of De Sylva to Chaskar to provide data regarding their performance of services.

Regarding claim 2, Chaskar and De Sylva further teach the method of claim 1, wherein the first communication connection comprises a wireless communication connection selected from the group of wireless communication connections comprising: a cellular radiotelephone communication connection (see Chaskar, fig.6, paragraph 0039, 0051, claim 1), a paging communication connection and a wireless data communication connection (see Chaskar, fig.6, paragraph 0039, 0051, claim 1).

Regarding claim 3, Chaskar and De Sylva further teach the method of claim 1, wherein the step of providing location information comprises determining location information at the user communication device (see Chaskar, fig.6, paragraph 0039, 0051, claim 1) and communicating the location information to the service provider agent via the first communication link (see Chaskar, fig.6, paragraph 0039, 0051, claim 1)

Regarding claim 4, Chaskar and De Sylva further teach the method of claim 1, wherein the second communication connection is established relative to the proximity of user communication device and the service provider (see Chaskar, fig.3-4, paragraph 0003, claim 1).

Regarding claim 6, Chaskar and De Sylva further teach the method of claim 1, wherein the step of dispatching a service provider comprising obtaining service preference data for the user (see De Sylva, paragraph 0025-0026).

Regarding claim 12, Chaskar and De Sylva further teach the method of claim 1, wherein the step of dispatching a service provider to the user comprises informing the user to transit to a location of the service provider (see De Sylva, paragraph 0025-0026).

Regarding claim 13, Chaskar teaches a user communication device comprising:  
  
a processor coupled to a memory (fig.2 controller, memory), the memory including a control program for controlling operation of the processor (fig.2);

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a transceiver coupled to the processor (fig.2), transceiver being operable to establish a first communication connection with a service provider agent (fig.3-4, paragraph 0003, claim 1) and a second communication connection with a service provider (fig.3-4, paragraph 0003, claim 1); and

a user interface coupled to the processor (fig.2);

wherein, the processor is operable responsive to an input at the user interface (fig.2) to cause the transceiver to communicate via the first communication connection a service request to the service provider agent (fig.3-4, paragraph 0003, claim 1), the service request including location information relating to the user communication device (fig.3-4, paragraph 0003, claim 1), and to communicate service transaction data between the service provider (fig.6, paragraph 0039, 0051, claim 1), which is dispatched to the user (no show) responsive to the service request and the location information (fig.6, paragraph 0039, 0051, claim 1), via the second communication connection upon rendering of the requested service (fig.6, paragraph 0039, 0051, claim 1).

Chaskar fails to specifically disclose dispatched to the user. However, De Sylva teaches dispatched to the user (paragraph 0025-0026). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of De Sylva to Chaskar to provide data regarding their performance of services.

Regarding claim 14, Chaskar and De Sylva further teach the user communication device of claim 13, wherein the location information comprises user communication device determined location data (see Chaskar, paragraph 0025-0026).

Regarding claim 15, Chaskar and De Sylva further teach the user communication device of claim 13, wherein the service request comprises user service preference data (see Chaskar, paragraph 0025-0026).

Regarding claim 16, Chaskar and De Sylva further teach the user communication device of claim 13, wherein the service request comprises user preference look-up data (see Chaskar, paragraph 0025-0026).

Regarding claim 17 is rejected with the same reasons set forth in claim 2.

Regarding claim 22, Chaskar and De Sylva further teach the user communication device of claim 13, comprising a location detector coupled to the processor to provide the location information (see Chaskar, fig.2).

Regarding claim 24, Chaskar teaches an apparatus associated with a user comprising:

means for communicating a service request from the user (mobile station) to a service provider agent (fig.3-4, paragraph 0003, claim 1);

means for providing location information associated with the user of the service to the service provider agent (fig.6, paragraph 0039, 0051, claim 1); and

means for directly communicating service transaction data with a service provider dispatched (no show) responsive to the service request and the location information (fig.6, paragraph 0039, 0051, claim 1)

Chaskar fails to specifically disclose a service provider dispatched. However, De Sylva teaches a service provider dispatched (paragraph 0025-0026). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of De Sylva to Chaskar to provide data regarding their performance of services.

4. Claims 5, 7-11, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702) in view of De Sylva (U.S.Pub-20040153357) and further in view of Chan et al. (U.S.Pub-2004020638)

Regarding claim 5, Chaskar and De Sylva further teach the method of claim 1.

Chaskar and De Sylva fail to specifically wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection. However, Chan teaches wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection (paragraph 0005, 0022). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention



was made to apply the teaching of Chan to De Sylva and Chaskar to provide a method for delivering service to users.

Regarding claim 7, Chaskar, Chan, and De Sylva further teach the method of claim 1, wherein the step of completing a service transaction comprises communicating an information token (see Chan, abstract).

Regarding claim 8, Chaskar, Chan, and De Sylva further teach the method of claim 7, wherein the information token comprises service instructions (see Chan, abstract).

Regarding claim 9, Chaskar, Chan, and De Sylva further teach the method of claim 7, wherein the information token comprises payment data (see Chan, paragraph 0040-0042).

Regarding claim 10, Chaskar, Chan, and De Sylva further teach the method of claim 1, wherein the step of requesting a service is affected in a single user action (see Chan, abstract, paragraph 0040-0042).

Regarding claim 11, Chaskar, Chan, and De Sylva further teach the method of claim 10, wherein the single user action comprises selection of a bookmark for establishing the first communication connection and requesting the service (see Chan, abstract, paragraph 0040-0042).

Regarding claim 18 is rejected with the same reasons set forth in claim 5.

Regarding claim 19 is rejected with the same reasons set forth in claim 5.

Regarding claim 20 is rejected with the same reasons set forth in claim 7.

Regarding claim 21 is rejected with the same reasons set forth in claim 9.

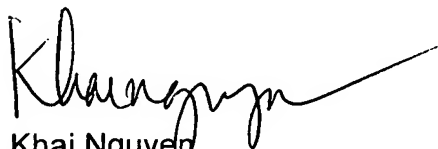
Regarding claim 23 is rejected with the same reasons set forth in claim 10.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on 571.272.7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Khai Nguyen  
Au: 2617

8/11/2007

  
RAFAEL PEREZ-GUTIERREZ  
SUPERVISORY PATENT EXAMINER

8/16/07